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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/403,095	01/13/2000	JOONAS KETURI	PM264827	6831

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EXAMINER

EUGENE, WANDA

ART UNIT PAPER NUMBER

2666

DATE MAILED: 11/20/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/403,095

Applicant(s)

KETURI, JOONAS

Examiner

Wanda Eugene

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4, 9-12 and 19 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8, and 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
3. Claims 5,6 7, and 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claims 5,6 and 7 recite the limitation "location" in lines 3, 3 and 2 respectively is vague. It is unclear if it is the applicant's intent to refer to a physical location, location in regards of classification or in some other sense.
5. Regarding claim 15, the phrase "substantially all functions" renders the claim indefinite because it is unclear to what extent the limitation(s) are attempting to cover.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1, 2, 6- 8, 13, 15, 17 and 18 rejected under 35 U.S.C. 102(e) as being anticipated by Doviak et al. (U.S. 5,717,735).

Regarding claim 1, Doviak et al. teaches a plurality of different remote devices 52 (Fig 1) that may communicate with wired host networks 10 (Fig 1). Doviak et al. further conveys a plurality of different wireless RF communications link protocols and a plurality of different wired networks protocols selected by the user and the means for converting data to be transported between the remote device and the host communication network, as can be seen in (Fig 1). Doviak et al. also teaches a mobile data controller 54 (Fig 2) connected to remote devices identified by their distinct operational characteristics.

Regarding claim 2, Doviak et al. discloses a data controlled mobile interface 24 (Fig 2), thus serving as a predetermined criterion on the basis of the content of the message from the terminal.

Regarding applicants claim 6, Doviak et al. further imparts a remote network controller 20 (Fig 2) and a host data controller 22 (Fig 2), which bear the responsibility of insuring the integrity of the data being transported.

Regarding claims 7 and 18, Doviak et al. also discloses an interprocess communication manager 26 (see Fig 2 and col. 7 lines 40-44), which manages all interprocess messages routing within the remote network, thereby determining the location of the terminal.

Regarding applicants claim 8, Doviak et al. teaches a plurality of different remote devices that may communicate with a wired host network via a radio infrastructure 56 (Fig 1). Doviak further teaches a plurality of different wireless RF communications link protocols and a plurality of different wired networks protocols selected by the user and the means for converting data to be transported between the remote device and the host communication network, as can be seen in (Fig 1). Doviak et al. also teaches a mobile data controller 54 (Fig 1) connected to remote devices identified by their distinct operational characteristics, which allow for protocol appropriate communication.

On the subject matter of claim 10, Doviak et al. discloses a service interface 30 (Fig 2), which encapsulates the data into an internal protocol, in so doing compressing information from the direction of telecommunication system.

In relation to claim 13, Doviak et al. further discloses a remote network controller 20 (Fig 2) and a host data controller, which bear the responsibility of insuring the integrity of the data being transported.

In relation to claim 15, Doviak teaches a communication network 10 (Fig 1) that embodies the communication controllers in a compact network and locally attached devices thus the functions of the server are connected.

Regarding claim 17, Doviak further teaches a wired communications network interface module that prepares data and connecting systems for internet usage.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3 and 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Doviak in view of Demery et al. (WO 9,701,940).

Doviak shows a means for establishing a remote device with an interface to present data to the wired network through RF wireless communication as required by claims 1 and 8. Doviak fails to disclose a header of the protocol layer of the message from the remote device, as done in the applicant's claim 3 and a means for storing the most used information, as done by the applicant's claim 14. Demery et al. discloses a header for

retaining the optimum control facility Fig 4 and teaches a means for storing messages that are used for repeated applications. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Doviak to include a means to facilitate control via the protocol layer as suggested by Demery and a means to include a memory function in order to keep track of frequently used information and in order to efficiently execute protocol conversions.

10. Claim 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Doviak in view of Pepe et al. (U.S. 5,742,668).

Doviak shows a remote device with an interface to present data to a wired network through RF wireless communication as required by claim 8. Doviak fails to teach a server possessing a distributive nature such as that indicated by the applicant's claim 16. Pepe et al. discloses a server 48 fig. 4 implemented in regards of its network interfacing with various communication components. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Doviak to include a server with the means to operate in over various network mediums in its ability to send and receive information for all of the messaging options.

Allowable Subject Matter

11. Claims 4, 9, 10, 11, 12 and 19 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wanda Eugene whose telephone number is 703-305-8978. The examiner can normally be reached on M-F 7am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S Rao can be reached on 703-308-5463. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-3900.

we

Seema S. Rao
SEEMA S. RAO 11/17/03
SUPERVISORY PATENT EXAMINER
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